

96-98

From: Blair Porter
To: Michael Copps
Date: Sun, Feb 23, 2003 1:50 PM
Subject: UNE decision ???

SUNSHINE PERIOD

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FEB 27 2003

I have just one question regarding the 2/20 ruling regarding UNE. Requiring incumbents to provide access is one thing, but requiring access at price sometimes 50% below the break-even point is just not an equitable situation. Should I be allowed to raid your refrigerator, taking whatever I please, paying only 50 cents on the dollar? How much red ink, layoffs, etc. will the incumbents be required to bleed before "fairness" cuts both ways? Please have the professional decency to respond to this inquiry.

Federal Communications Commission
Office of Secretary

Blair Porter
Ballwin, Missouri
bp3434@swbell.net

From: BOWERS, RICHARD W (AIT)
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 12:20 PM
Subject: FCC Ruling 2/20/03

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SUNSHINE PERIOD

FEB 27 2003

Mr. Adelstein:

Federal Communications Commission
Office of Secretary

Just a note to let you know how disappointed I am yesterday's decision by the FCC on Section 251. I cannot understand the logic behind it and view it as a cowardly move intended only to shirk the task of true reform in the telecom sector. How does the committee expect the Bells to invest heavily in broadband while losing revenues under UNE-P? Access lines are the backbone of revenue for the Bells - you know that. The TC Act of 1996 is a miserable failure - seven years, where is all this competition? If I lose my job here at SBC over your ruling (and I just might), where do I go - where are the companies that will hire me? AT&T and MCI - that's where - and these companies are on their own death march. The government, and I mean the FCC and other legislative and regulatory bodies, are killing the industry by not allowing the market to drive investment. Moreover, the development and deployment of new technologies are slowed (or halted) by rapidly-receding capital dollars. How does this benefit consumers?

Shame on you all for lacking the foresight and courage to do the right thing.

Rich Bowers

From: Azzende Lawrence
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 11:29 AM
Subject: Comments to the Commissioner

SUNSHINE PERIOD

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Azzende Lawrence (lilbyson@pacbell.net) writes:

Federal Communications Commission
Office of the Secretary

Hi I'm an SBC outside Tech. I work for ASI which maintains and handles the DSL. You guys make these rulings about local phone competition and dont realize how much it hurts me and my fellow outside techs. I just dont get why we have to sell our own networks to competitors cheaper than it cost us to maintain them. It feels like the FCC hates us and want to hurt us. Why cant we sell them at the same price it cost us or even a little more so we can make a profit. I used to own a rim and wheel shop. Its like saying that if a customers buys a set rims and they cost me 1700 i have to sell them to him for 1600. SBC is just a business trying to survive and make money like every other business. One last note: MY own personal crew has been taken down from 25 techs to 6 (we handle an area which has a total population of about 600,000) in a matter of 2 years due to the regulations which is causing the stock price to be basically cut in half in that period, and there will probbly more layo! ffs to come. Thank you for listening and enjoy your day.

Server protocol: HTTP/1.1
Remote host: 63.202.53.46
Remote IP address: 63.202.53.46

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Federal Communications Commission
Office of Secretary

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SUNSHINE PERIOD

From: Dominic Bertani
To: KM KJMWEB, Michael Copps, Mike Powell, Kathleen Abernathy, Commissioner
Adelstein
Date: Mon, Feb 24, 2003 1:00 PM
Subject: retail prices

SUNSHINE PERIOD

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*Federal Communications Commission
Office of Secretary*

Hello I was thinking over the weekend what a Horrible job Kevin Martin did for all consumers by leading the charge to the " indecision" with regard to passing off real decision making to the 50 courts and letting the issue fester for years If you can't clarify please resign and let someone that has the back bone take care of the truly important work of the F.C.C.
Disappointed in St. Louis Mo.
Dominic Bertani

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FEB 27 2003

Federal Communications Commission
Office of the Secretary**SUNSHINE PERIOD**

From: Douglas E. Salane
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 7:26 PM
Subject: Comments to the Commissioner

Douglas E. Salane (saljj@erols.com) writes:

I read in the New York Times recently that the FCC has decided to rescind the rule that requires local telephone companies to make their lines available at low cost to DSL providers. The FCC actions will mean the end of affordable high speed Internet access via telephone.

Verizon is our local phone company and they offer DSL service. Their service is expensive for what it offers and severely limits what an end user can do. They charge extra for a static IP address. Their equipment and procedural requirements impose additional costs on users and limit the utility of the Internet. Without effective competition, their DSL service will be even worse, and we will have to use it.

Many small businesses now rely on DSL for high speed Internet access. Fortunately, there are still several small DSL companies in our area that provide excellent service at reasonable costs. The recent FCC ruling will put these companies out of business.

A monopoly is a monopoly is a monopoly. If monopolies are not regulated, there is no reason to assume they will do what is in the public interest. I thought the deregulation of long distance phone service in the 80's was terrific. By the 80's, however, regulation was no longer necessary since new technologies ensured a number of competing providers would emerge. This is not the situation now. I do not see anyone competing with Verizon. The FCC ruling just removed vital competition from the DSL market. In fact, the end result may be the elimination of the DSL market.

Perhaps I am missing something. If I am, please send me an e-mail and let me know what it is.

Douglas Salane
Queens, New York

Server protocol: HTTP/1.1
Remote host: 38.117.145.137
Remote IP address: 38.117.145.137

FEB 27 2003

From: Duxnaro@aol.com
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 11:17 PM
Subject: Telecommunications Local Access Ruling

Federal Communications Commission
 Office of the Secretary

SUNSHINE PERIOD

It would be a simple matter to have in place a method for all carriers to be able to obtain competitive rates for local access.

All that would have to be done is for the FCC to rule that the LEC's (Baby Bells), split into two separate wholly owned entities, one of retail sales to residences and business's and one that is a wholesale provisioner for network access for all carriers. In this way, as a for instance you would have SBC wholesale selling the network access to SBC retail as well as ATT, Sprint, and whoever else wishes to purchase access. The pricing would be on that level playing field all parties talk about.

Sincerely,

Fredric Denman
 President
 Cadence Communications, Inc.
 1-574-848-9553

From: Jack Harper
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 9:06 PM
Subject: Comments to the Commissioner

SUNSHINE PERIOD

Jack Harper (jnh2@hotmail.com) writes:

We will now have a duopoly in broadband. Consumers can choose between a cable monopoly or the Bell monopoly. No incentive to improve the networks. Just higher prices for consumers. What were you thinking???

Server protocol: HTTP/1.1
Remote host: 65.100.209.76
Remote IP address: 65.100.209.76

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Federal Communications Commission
Office of the Secretary

From: Jeff Bower
To: Commissioner Adelstein
Date: Sun, Feb 23, 2003 9:30 PM
Subject: Comments to the Commissioner

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Office of the Secretary

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Jeff Bower (jeff.bower@demandmanager.com) writes:

Where in your job description does it say that you can effectively KILL all residential Broadband competition?

Why do I have to lease two telephone lines for DSL??? Why must I pay a telephone company twice for a service I can get over 1 line!

Why did you effectively THROW AWAY every home in America's high frequency portion of their copper loop?

ALL I can say for you in the coming week (during the ANTI-TRUST hearing and COMMERCE HEARING) is to plead insanity! Because NO answer can make up for the LOSS you caused america!

Server protocol: HTTP/1.1
Remote host: 12.228.216.106
Remote IP address: 12.228.216.106

RECEIVED

FEB 27 2003

From: JEREMY A SCOTT
To: Mike Powell
Date: Mon, Feb 24, 2003 3:55 PM
Subject: Congratulations on a Job Well Done! -- Just a few questions though.

SUNSHINE PERIOD

Federal Communications Commission
Office of the Secretary

I want to take this opportunity to congratulate the FCC on completing the Triennial Review. I've always admired the FCC for their prudent thinking and well thought out decisions. I prefer a rather "laissez-faire" approach to most markets, with little government intervention, with the exception of very few. It is such a relief these days to know that there are still smart, hardworking Americans who apply sound economic principles when making rules to ensure that their employers receive the most benefit.

Over the last few years, and more so during the past week, I have been quite confused as to whom the FCC is employed by. I had thought that the FCC was established by the federal government to bring order to chaos by dividing up the radio frequency spectrum and licensing parts of it to broadcasters and two way communications providers. In 1996 the legislative branch gave the FCC expanded powers to regulate fixed wire line telecommunications for the purposes of stimulating competition in the local telephone market.

Why did Congress do this? As we all know, the legislative branch of the government are not technological experts - nor should they be, their most attractive qualities lie in that of deciding who gets when what and how. Congress put its trust in the FCC's expertise to craft rules from complicated technological matters that would result in increased competition for wire line services.

We all know that Congress is lobbied constantly by various interests and is very much subject to various agendas of various groups, the least of which is that of the will of the American people. To their credit, they know this. That's why the FCC, the SEC, and other regulatory agencies exist. It is up to the judicial branch, the executive branch, and when necessary, regulatory agencies to make sure that there is an adequate separation of powers so that Americans do not have to continually suffer from alternate agendas. It is only because of this balance that the United States is the most powerful economy in the world.

It appears to me that in the course of about an hour and a half, the kind of politicking and horse trading normally reserved for our esteemed members of Congress has occurred at the FCC to the detriment of all. It's too bad that the FCC Commissioners didn't pay attention to the economic concept of "game theory", but instead relied upon selfish agendas which I can find no basis for other than to further their political careers.

(Is it true that Commissioner Kevin Martin is resigning?)

I have many more questions, among them:

- o Were there any unofficial communications from the White House to Commissioner Kevin Martin that might have persuaded him to act in a manner that we typically prescribe to French Olympic figure skating judges?
- o Did anyone from the Bully Pulpit promise Martin the chairman's job in exchange for railroading Powell's agenda?
- o Did someone decide at the last minute that eliminating Covad Communication's right to compete was more politically expendable than AT&T's right to compete? (Side note: Haven't we learned our lesson with AT&T?)
- o Did you know that Covad Communications has a broadband infrastructure that is currently capable of serving 40 million homes (%40 of the DSL market) and only shares components of the RBOC infrastructure that cannot be easily duplicated?

But I digress, those are the hard questions. What I really want to know is how the most recent rulemakings align with the Telecommunications Act of 1996. I want to know where, explicitly, in the Act it mandates that the FCC must prefer one form of competition over another. I want to know the justification for reinstating one monopoly so that it may compete with another, and how all that translates into something better for the consumer.

Now that you have impeded Covad from servicing 40 million residential customers, it's time to break out the economic text books. I want to know how deregulating a natural monopoly that holds 90% of market share brings lower prices and more choices to consumers. I want to know how rules that shirk Congress's 1996 intent and maintain the current broadband cartel benefit the consumer.

For all the negativity I may seem to express here, I'm really not that perturbed at all. After all, the Bells have claimed they're just a few rule changes (re: elimination of competition) away from deploying advanced next generation broadband services. I think now that Covad is effectively out of the picture, they got their wish.

When can I expect a fiber optic loop to my house?

CC: Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein

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From: John Nawracay
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 11:51 AM
Subject: Tel Policy

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Congratulations you just put the tel.industry in the dark ages Talk about the peters principle Seems you meet the qualifications Your policy or lack of it lets the World Comms. and other sleaze balls be rewarded for their shady dealings

From a Bell retiree

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Federal Communications Commission
Office of the Secretary

From: John R. Carter
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 7:54 AM
Subject: Comments to the Commissioner

John R. Carter (jc36245@yahoo.com) writes:

Dear Sir,

I have worked for SBC for 25 years as of October 11th, 2002. It has been a wonderful company that has always been good to my family and me. I am terribly disturbed about the recent vote the FCC made towards UNE-P. I work in the Centralized Translation Group in Livonia where we perform various software manipulations on switches both in Ohio and Michigan. I personally know the work that is involved on a daily basis with the various CLEC's and how much time and training go into each individual to make them knowledgeable and productive. I have trained in the past 3 years, 29 people in our department alone. It will take these people at least 2 more years to obtain all the knowledge and expertise that will be necessary to be efficient to complete the software manipulation and provide excellent customer service. Not only has SBC made this investment, we have constantly been upgrading existing switches and putting in new ones at the tune of 13 million dollars for each central office.

This also provides jobs for

companies like Nortel, Siemens, Lucent and Telcordia.

Can you tell me of 1 other business out there that would invest millions just so someone else could benefit? Would GM build a car for \$10,000 dollars, then be made to sell it to Chryslers for \$5,000 just so they can put their emblem on it and sell it to the public for \$7,000?

Doesn't make sense, does it?

Server protocol: HTTP/1.1

Remote host: 65.59.43.136

Remote IP address: 65.59.43.136

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From: Jonathan Rusk
To: Commissioner Adelstein
Date: Mon, Feb 24, 2003 11:30 AM
Subject: Comments to the Commissioner

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Jonathan Rusk (nopesos@cox.net) writes:

This is a note to express my disgust with the lack of leadership that the Commission has shown in wireline competition. The Commission's last vote was a lose-lose solution. Please work toward a ruling that will create clear winners and losers. Our future as consumers, investors, and citizens depends on governmental legislation that is clear and accessible to all levels of society. Clear decisions that favor specific companies allow the US to invest time, money, and love in companies that will reward the greatest quantity of people. A win-lose decision will create a win-win economy. Thank you.

Server protocol: HTTP/1.1
Remote host: 204.154.239.45
Remote IP address: 204.154.239.45

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From: Jrdcraig@aol.com
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 8:40 PM
Subject: phone services

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Dear Mr. Adelstein,

Please oppose deregulation of phone services. I feel that deregulation of electricity has been a failure, also of airplane ticket costs.

Sincerely, Julia Craig, 2337 Parker St. #7, Berkeley, CA 94704

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From: Kerry C. Washington
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 6:16 PM
Subject: Comments to the Commissioner

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Kerry C. Washington (kerrywashington@yahoo.com) writes:

Dear Mr. Adelstein,

I am a telecomms engineer now working in the satellite industry after eleven years in various telecom sub-markets. I have known the broadband market from many different angles and so, I have technical and market insights that (I feel) give me a somewhat informed perspective.

I just finished reading your separate statement regarding the review of section 251 Unbundling Obligations of ILECs.

I was dissappointed, to put it mildly. I recognize your excitement at being part of this commssion yet, I feel a more educated decision with regard to your vote may have been made.

Specifically, removing line-sharing will have the effect of single-handedly removing broadband services for regional segments of the population.

I speak specifically of those RPU's not serviced by alternate HFC/ cable MSOs and served by ILECs unwilling to deploy their own DSL hardware (capital expenditures being what they are nowadays) nor negotiate a resonable new fee for the exisitng DSL service provider.

What is the endgame for this DSL provider...why discontinue service, of course. What other option is there? The larger DSL provider operate in the red in today's market becuse they are still paying for their own equipment outlays. They simply can not afford to reduce their margins further and still have a positive cash flow.

Truly this is a nightmare scenario, yet I predict it will happen in some aras. The question is why? Prior to your decision, ILECs would enter agreements with DSLs with very little risk on their part. The value proposition was also very clear with a fixed partial line lease rate. Consequently, I believe the ILECs business

acumen regarding marketing data services still has a learning curve to go through which will only stress the consumer.

In short, the broadband services market has finally begun overcome the build-out excesses of the last few years and, now this decision has thrown the business outlook of an entire sector into disarray with no succinct benefit.

Perhaps you can explain why you see this differently.

Thanks for your time.

Regards,

Kerry Washington

Server protocol: HTTP/1.0
Remote host: 158.184.56.82
Remote IP address: 158.184.56.82

From: Kinsey Lowe
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 1:06 PM
Subject: Telco deregulation

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Federal Communications Commission
Office of the Secretary

Mr. Adelstein:

This may be long, but please bear with me.

From my perspective, at least in California and with SBC, deregulation and subsequent consolidation has not worked out. In fact, even the 1996 law has resulted in vastly degraded service, at least from the customer service standpoint. SBC is interested in acquiring companies and increasing stock value and wealth, not providing real service.

Before the merger of SBC and Pacific Bell, dealing with the phone company was never a chore or unpleasant. Service was prompt and efficient with virtually no waiting on hold for a Pacific Bell representative. In 1998 I acquired DSL service, and the experience was excellent, download speeds sometimes as high as the initially advertised 1.5 megabytes per second. It's a great product, under the right circumstances. I had two phone lines in my home, one for business and internet, the other personal. I chose Pacific Bell for my mobile service.

When SBC merged with Pacific Bell, I didn't notice much change at first. Then when I purchased a new home in a different neighborhood in Los Angeles in April of 2000, I experience moderate waiting time on hold, 45 seconds to maybe 5 minutes, in making arrangements for the move. When I actually moved, I found my self-install DSL software didn't allow me to connect.. I am fairly technically adept at following instructions, and installed the software per instructions left by the wiring installer.

I experienced multiple long waits on hold, never less than 30 minutes, sometimes as long as 45. This was particularly annoying on a couple of occasions when I was disconnected after waiting, only have to dial in again and wait another 45 minutes to speak to a service representative who didn't always have the expertise to solve the problem. Since I do have to sleep and since my job does require that I actually be at work for as much as 12 hours on many days, this process of actually getting the DSL service to work took nearly two months. I remember it was definitely more than six weeks but I cannot say for sure that it actually took two months. It did however take many phone calls, two subsequent visits by technicians who gave me special phone numbers to call to attempt to minimize any waits on hold. One of them even gave me his cell phone number because he thought what was happening to me was outrageous.

It turns out because I am at the outer limit of the maximum distance from the telephone exchange that my service had to be capped at 384K download speed (in practice, 327K) but I still pay the full \$49.95 per month. A technician obtained a static IP address to ensure stability, on the grounds that I was not a new customer but an existing customer.

I have tried to upgrade to increased speeds, but I have been unable to get via e-mail an indication that anyone knows what I am talking about when I explain my situation. I asked if there was any time frame for SBC to upgrade its system with satellite DSL hubs or connection points that would bring it closer to my home. Some e-mails to SBC received NO response, and most received what amounted to form responses that indicated the person on the service end either had not actually read my e-mail or did not understand it. A person I reached by phone said it was not possible to upgrade, but the SBC website indicates otherwise.

My cable company (Adelphia, ahem) does not yet offer high-speed internet service, so I stuck with SBC another year or so since I was reasonably satisfied with the service but not thrilled as I had been at the old location. Then the other day I e-mailed Covad, explaining my situation, and I received a response within 24 hours offering a guaranteed speed of 1 megabyte per second and possibly as high as 1.5, for about \$20 more a month. I signed up, but I could cancel at any time for 30 days.

I decided to give SBC another try. Previously I had found that someone answered the phone much more quickly when SBC was selling something, but this did not happen. After waiting for 2 minutes while I was busy at work, my memory came back of all the headaches of waiting endlessly on hold for someone in DALLAS who might or might not be able to answer my questions, I hung up. I'll see what happens with Covad, which maintains some of its own equipment. I managed to sign a contract that will freeze my rate for two years so the FCC's recent telco decision will not affect my rates.

Because I have two phone lines, I was able to switch my local service this year to MCI, which was my long distance carrier long before the crook Bernie Ebbers got involved. I've had no problems with MCI and I get a flat rate for a package including long distance, voice mail, call forwarding and waiting and caller i.d. on that line, for about the same as my lowest bill under SBC. I had kept my separate DSL and work phone line with SBC out of loyalty to PacBell to see if anything got better, but I see that it hasn't. SBC will get the \$20 or so for a simple tone service but that line is not used for long distance, and soon they won't get my DSL service either.

The federal government has been listening too long to lobbyists who want to make it easier for stock traders to make money swapping stock and arranging mergers rather than creating products or delivering real service. The real reason regulation came into being in the first place is because business as a whole ultimately could not be relied upon to police itself. Self-regulation is a fiction, and the situation in the airline industry, contrary to popular belief, I think demonstrates it perfectly, at least in terms of the big carriers.

Thank you for your attention.

Incidentally, I have no complaint about any of my taxes. Someone has to pay for upkeep. Unlike a lot of Republicans and some Democrats in Congress, I understand that bills have to be paid.

Respectfully,

(Ronald) Kinsey Lowe
Citizen, homeowner, taxpayer and voter
4156 Ranons Avenue
Los Angeles

From: Kurt Kaiser
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 7:34 PM
Subject: Comments to the Commissioner

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FEB 27 2003

Federal Communications Commission
Office of the Secretary

Kurt Kaiser (kurtk@xnet.com) writes:

It is a terrible disappointment to me that the Commision would eliminate line sharing and facilities-based competition. This truly thumbs your nose at the residential consumer.

Kurt Kaiser
Evanston, IL

Server protocol: HTTP/1.1
Remote host: 199.245.228.120
Remote IP address: 199.245.228.120

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From: Kyle Humble
To: Commissioner Adelstein
Date: Sun, Feb 23, 2003 11:56 PM
Subject: Comments to the Commissioner

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Kyle Humble (crazysoonerfan14@yahoo.com) writes:

Mr. Adelestein, I am curious as to why you voted to keep the status quo on UNE-P? Does this really seem like fair business to you? To me this does NOT create competition within the industry. If any other industry was to do the same, there would be many faultier and go bankrupt. Let's say that McDonalds had the same implications on them as the Bell Companies. You have "Burger Joe" in the same McDonalds establishment, serving the same meals, and using the same equipment to make the meals. But "Burger Joe" sells his meals \$2 cheaper than McDonalds. Whom would you buy your burger meal from? This is forgetting the fact that McDonalds is paying to lease the building, upkeep on the fryers, stoves, and other equipment. If something goes wrong with the equipment, "Burger Joe" does NOT pay to have the equipment fixed, McDonalds does. This scenario is what is happening in the Telecom industry. If this keeps up, I may just start my own I-LEC. I would not have to pay for overhead, maintenanc!

e, and get phone lines cheaper t

han what the Bell companies can sale it to their customers for. Does this not sound like a great injustice? Do you not have to invest your own money? You mean I can just be a leach off the major provider and still make profit hand over fist? Where do I sign up for this ludacris business? If the Telecom industry keeps as it is, you will have many more people unemployed, and many Bell companies going bankrupt. Do we really need anymore Chapter 11's right now? I would most definetly like your thoughts and reasons as to why this has not been changed?

Sincerely,
Kyle Humble

Server protocol: HTTP/1.0
Remote host: 144.160.98.28
Remote IP address: 144.160.98.28

From: Nabil Elsheshai
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 8:09 AM
Subject: Comments to the Commissioner

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FEB 27 2003

Federal Communications Commission
Office of the Secretary

Nabil Elsheshai (melshesh@yahoo.com) writes:

I know this is futile given the list of clowns you have worked for but I sending in hope i hit the lottery.
Please read below as a represtative position of people in the industry and buisness people in general.

Server protocol: HTTP/1.1
Remote host: 68.164.20.6
Remote IP address: 68.164.20.6

From: Raymond F. Sternot
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 11:36 AM
Subject: Comments to the Commissioner

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FEB 27 2003

Raymond F. Sternot (rsternot@ameritech.net) writes:

Federal Communications Commission
Office of the Secretary

February 22, 2003

Dear FCC Commissioners,

As a consumer, I am extremely disappointed in your ruling of yesterday with regard to UNE-P as well as your pushing the decisions on UNE elements to the states. I don't think anyone is better off with this decision. This model will not increase competition as written. Most importantly I don't think consumers or the economy will be improved by it. Rather, your indecision will leave the industry in utter chaos. You have failed your constituents and the American telecommunications consumer miserably. The only bright spots seem to be dissenting comments of Commissioners Abernathy and Powell. In particular, Commissioner Powell's comments about UNE-P switching element, "Facilities-based competition means a competitor can offer real differentiated services to consumers - the switch is the brains of one's network and to be without one is to be a competitor on life support fed by a hostile host."

As a CLEC consultant and former ILEC Network Planner with over 32 years in the Telecom industry here is how I see that you have left things:

- 1.) ILECs will continue not to invest in infrastructure because of the regulatory uncertainty now pushed to the state level. Nor will the economy be aided because of the lack of new infrastructure deployment.
- 2.) Consumers will not get the benefit of new products or services because there will be no differences in switch based features or services between the ILECs and CLECS. And, the ILECs will have no incentive to invest in products and services that they will have to essentially give away to a competitor.
- 3.) The ILEC and CLECs stocks will continue to be hammered in the market. The ILECs because of the lack of regulatory certainty and capital investment risks and the CLECs because of a lack of investment risk (to be profitable) and the lack of a viable long-term business plan/strategy to differentiate them from their competitors.

In addition, why is it so hard for CLECs like AT&T and Worldcom to put in residential end office switch functions/features into their very large tandems that they have in most, if not all, LATAs? There are features in existence such as Host/Remote technology and software/hardware to convert tandem only to tandem/end office (line switching capable) entities. Oh, forgot they don't want to have the capital risk? So, maybe that is the tact the incumbents will take. You think?

I also think that Commissioner Abernathy summed it up when she said and I concur, "I fear that this order will deal a serious blow to our efforts to restore national investment incentives."

Respectfully,

Raymond F. Sternot

Server protocol: HTTP/1.1
Remote host: 65.56.220.75
Remote IP address: 65.56.220.75

From: Rick Weigart
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 6:54 PM
Subject: Comments to the Commissioner

RECEIVED

FEB 27 2003

Rick Weigart (rick@pbi.net) writes:

Federal Communications Commission
Office of the Secretary

Dear Jonathan,

Your decision yesterday to continue to allow companies to exploit UNE-P rules is very disappointing.

It is sad that you could'nt take the lead of FCC Chairman Michael Powell to make a change now for the future benefit of the telecommunications industry.

Hopefully, next time you will make the choice which will benefit the industry as a whole.

Regards,

Rick Weigart

Server protocol: HTTP/1.0
Remote host: 207.214.69.49
Remote IP address: 207.214.69.49

From: Robert Breitweg
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 11:46 PM
Subject: Jobs, Jobs Jobs

RECEIVED

FEB 27 2003

Reuters
Baby Bells Seen Unlikely to Up Spending
Friday February 21, 2:50 pm ET
By Jessica Hall

Federal Communications Commission
Office of the Secretary

PHILADELPHIA (Reuters) - The Baby Bell local telephone companies will likely keep stifling their capital investments after failing to get immediate freedom from network-access regulations, extending a spending drought that has hobbled equipment makers, analysts said on Friday.

ADVERTISEMENT

A mixed ruling by the Federal Communications Commission (News - Websites) on Thursday gave the Baby Bells a victory in the area of high-speed Internet access but dashed their hopes for broader deregulation.

As a result, the dominant local telephone companies still must provide their rivals with discounted access to their telephone networks. The Baby Bells argue that those rules cost them money, and prevent them from investing in improvements in their networks and services.

"Future investment in the wireline network is tied to a strong financial base for the overall business," said Tom Tauke, Verizon Communications' (NYSE:VZ - News) senior vice president for public policy.

Telecommunications carriers have sharply reduced capital spending in the face of slack customer demand, the weak economy and a glut of long-distance network capacity. Heavy debt loads also have forced carriers to control spending and cut jobs and operating costs.

Capital spending by North American telephone companies fell more than 37 percent in 2002 and should fall another 12-13 percent this year, according to investment bank Lehman Brothers.

"We do not expect the (Baby Bells) to increase their capital spending over the next couple of years, while (network access rules) continue to eat away at their cash flow," said Commerce Capital analyst Anna-Maria Kovacs.



while you work!

- | | |
|---|--|
| <input type="checkbox"/> R&B | <input type="checkbox"/> Adult Alternative |
| <input type="checkbox"/> Pop | <input type="checkbox"/> Soft Hit |
| <input type="checkbox"/> Country | <input type="checkbox"/> Super 70's |
| <input type="checkbox"/> Today's Best Hit | <input type="checkbox"/> Welcome 2000 |
| <input type="checkbox"/> Hip-Hop | <input type="checkbox"/> Easy Lane |
| <input type="checkbox"/> Alternative Rock | <input type="checkbox"/> 14-16-18-20 |
| <input type="checkbox"/> Classic Rock | <input type="checkbox"/> More Stations... |



cast music that listens to you

From: Rogers, Kevin
To: Commissioner Adelstein
Date: Fri, Feb 21, 2003 11:46 AM
Subject: Telecommunications Decision

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Dear Commissioner Adelstein,

If your decision is allowed to stand, your switching decision will mean that regulation continues to stifle capital investment and research and development in the telecom industry. The decision will perpetuate the hostile environment for telecom investment. Disturbances from bankruptcies, excess capacity, and sharing at prices below cost will persist and will choke the flow of new telecom investment and will jeopardize the economic recovery that must eventually be lead, at least in part, by the tech and telecom sectors. That will mean fewer American jobs, lower spending on innovation and less investment; meaning less instead of more for American consumers. As a result of this decision, the United States puts at risk its global telecommunications leadership. As an investor, this was not a good decision.

Federal Communications Commission
Office of the Secretary

The switching decision does not follow the court's and the Congress' mandate to deregulate, but imposes still more regulation on the ailing telecommunications sector, a sector which has seen losses topping \$1 trillion in market value and job losses of more than 500,000 in the last two years.

Chairman Powell and Commissioner Abernathy did the right thing by standing firm on their principles - to acknowledge where competition now exists, to recognize how competition has now developed among technologies, and to adapt government's role to reflect the fact of the market today. Their approach would have created the environment for more jobs, more competition, innovation and investment. I hope they will be vindicated in court.

The record is clear that alternative switching is readily available throughout the United States. Thus, competitors are not impaired if incumbent switches are not made available to them at below-cost wholesale rates. The market should set the prices.

Kevin Rogers, Investor and Consumer

From: Stuart Gold
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 4:38 PM
Subject: Comments to the Commissioner

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Federal Communications Commission
Office of the Secretary

Stuart Gold (dallasthecow@netzero.net) writes:

To the FCC:

In one fell swoop you have destroyed a company who is the only TRUE competition to the bells in the DSL arena.

Back in 1999 the FCC mandated linesharing and this brought about the birth of Covad. Covad grew a nationwide footprint to compete with the bells which is what the 1996 Telecom Act Prescribed.

This decision has put DSL completely into the hands of the RBOCs making them a monopoly (not a duopoly) in many regions of the country.

Now because of you , the American consumer has less access to broadband rather than more. One of the stated goals of the FCC was to create broadband GROWTH. Well guess what, NO WAY!

Your misinterpretation of the DC circuit courts ruling led you to believe line sharing was politically expendable. Did you know that 40% of residential DSL is Line Shared?

If you knew that and still were in favor of eliminating it how do you rationalize/justify that.

How is that a step forward ? How does that benefit the consumer?
How will that lead to lower prices for DSL?

The RBOC's are now free to raise rates, How do I know? They are on record as stating that DSL prices are too low and should be well over \$50 -\$70per mo. Covad was providing it for \$29-\$49

When will advanced services and fiber be deployed by the BOCs?

Never, How do I know? They said so in todays press and they still haven't deployed what they promised last time Also they will never see a return on an investment the size of the one required to do so. It isn't economically feasible and the consumer will not/ cannot pay any more than they already do.

I suggest you rethink the horse trading that was done at the expense of the American Consumer, at the last hour no less. You rushed to judgement and came to the wrong conclusion. If it was a political decision...it was a bad one and I would think all of your political careers are in jeopardy.

Go back to the drawing board!

Server protocol: HTTP/1.1
Remote host: 63.214.214.7
Remote IP address: 63.214.214.7

From: Wayne Harris
To: Commissioner Adelstein
Date: Sat, Feb 22, 2003 10:00 AM
Subject: *Very* disappointed in yesterday's ruling on broadband

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Federal Communications Commission
Office of the Secretary

Dear Mr. Adelstein:

I am not speaking for my employer, but as a Vice President of Technology for a local Chamber of Commerce and as a residential consumer of broadband, I am extremely disappointed in the FCC's decision yesterday freeing the major telecommunications companies to extend their monopolies to broadband Internet access.

This quote from Carl Oppedahl, founder of the Ruby Ranch Network, excerpted from a CNET article "DSL customers brace for higher prices" says it better than I could:

"The FCC seems to have given no thought to the plight of the actual customer," said Oppedahl, who helped set up the co-op in 2001 because commercial DSL service wasn't offered in his neighborhood. "We're all still reeling in shock from yesterday's ruling."

I don't have a paid lobbyist in Washington, but you need to understand that there are a lot people like me throughout the country who are paying close attention to this issue.

Wayne Harris
Tallahassee, Florida

From: www-data
To: Kathleen Abernathy, Michael Copps, KM KJMWEB, Mike Powell, Commissioner Adelstein
Date: Mon, Feb 24, 2003 4:14 PM
Subject: Reject Bells' Monopoly Bid

Message from Margot Smith

1300 A Shattuck Avenue
Berkeley, CA 94709

Dear FCC Commissioner:
What happened to the lower rates we were supposed to get when Ma Bell was split up? Deregulation does not work, just look at the energy industry. Elimination of competitive access to wholesale phone networks will kill local competition and leave consumers with the worst of both worlds, an unregulated monopoly. Please reject the Bell's self serving proposals to eliminate the UNE-Ps, which would pave the way for a bigger, meaner phone monopoly unrestrained by regulatory oversight.

Sincerely,

Margot SMith

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Message from Emil Bernstein

23 Waterglen Circle
Sacramento, CA 95826

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Date: Tue, Feb 25, 2003 4:51 AM
Subject: Reject Bells' Monopoly Bid

Message from M S Evans

PO Box 4182
Fresno
California 93744

Dear FCC Commissioner: Elimination of competitive access to wholesale phone networks will kill local competition and leave consumers with the worst of both worlds, an unregulated monopoly. Please reject the Bell's self serving proposals to eliminate the UNE-Ps, which would pave the way for a bigger, meaner phone monopoly unrestrained by regulatory oversight.

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